## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA HARRISONBURG DIVISION

ANNE TAETZSH	)		
FITZGERALD, et al.,	)		
Plaintiffs,	) Case No	Case No. 5:17-cv-16	
v.	)		
JAMES B. ALCORN, et al.,	)		
	) By: M	ichael F. Urbanski	
Defendants.	) U	nited States District Judge	

## ORDER

This matter comes before the court on defendants' motion to dismiss, ECF No. 9, and defendants' motion in limine, ECF No. 24. For the reasons stated during the hearing on June 16, 2017, the court **DENIES IN PART** and **TAKES UNDER ADVISEMENT IN PART** the motion to dismiss. ECF No. 9. Specifically, the court denies the motion insofar as defendants ask the court to determine that the 20th House of Delegates District Republican Committee, Anne Taetzsh Fitzgerald, as chairman of the 20th House of Delegates District Republican Committee, and Edward A. Yensho, as Chairman of the Green County Republican Committee (collectively, the "Committee Plaintiffs") lack standing. The court directs the parties to engage in jurisdictional discovery as to whether the Committee Plaintiffs demonstrate the requisite elements of standing. Jurisdictional discovery must be complete 90 days before trial. The partial denial of the motion to dismiss is without prejudice; defendants are free to raise their standing arguments regarding the Committee Plaintiffs on

summary judgment. The court takes the remaining issues presented in the motion to dismiss under advisement pending a forthcoming Memorandum Opinion.

The court **DENIES AS MOOT** defendants' motion in limine. ECF No. 24. Defendants sought to prevent plaintiffs from introducing evidence at the hearing on the motion to dismiss. In light of the court's grant of a period of jurisdictional discovery, plaintiffs did not seek to introduce documents or witness testimony at the June 19 hearing. Therefore, defendants' motion in limine is moot and the court denies it as such.

It is so **ORDERED**.

Entered: 06-30-2017 (s/ Michael F. Urbanski

Michael F. Urbanski

United States District Judge